AMENDMENT TO THE CLAIMS

1.   (Original) A method of automatically dispensing a product to a customer, comprising the steps of:

(a) receiving a product selection from the customer;

(b) determining whether said product selection qualifies for an alternate product offer;

(c) presenting an alternate product offer message if said product selection so qualifies;

(d) determining if the customer has accepted said alternate product offer; and,

(e) dispensing a first product that corresponds to said alternate product offer if the customer has so accepted, or,

(f) dispensing a second product that corresponds to said product selection if the customer has not so accepted.

2.   (Original) A method according to Claim 1, wherein a database is provided, said database containing at least one decision rule, and step (b) includes the steps of:

(b1) determining if any decision rule in said database is associated with said product selection,

(b2) if no decision rule in said database is associated with said product selection, then,
determining that said product selection does not qualify for an alternate product offer,

(b3) if at least one decision rule in said database is associated with said product selection, then,
choosing one of said at least one associated decision rule, and, determining from said chosen decision rule whether said product selection qualifies for an alternate product offer.

3.   (Original) A method according to Claim 2, wherein a plurality of decision rules in said database are identified in step (b1) as being associated with said product selection, and wherein the step of choosing comprises:

(i) choosing one of said plurality of decision rules according to a predetermined rule selection hierarchy.

4.   (Original) A method according to Claim 1, wherein step (b) includes the steps of:

(b1) choosing an alternate product,

(b2) determining an acceptance rate of said chosen alternate product in relation to said product selection, and,

(b3) determining whether said product selection qualifies for an alternate product offer based on said acceptance rate.

5.   (Previously presented) A method according to Claim 4, wherein step (b3) includes the step of:

(i) determining that said product selection qualifies for an alternate product offer if said acceptance rate is greater than a predetermined value.

6.   (Original) A method according to Claim 1, wherein there is at least one product item associated with said product selection and each of said at least one product item has an expiration date associated therewith, and wherein step (b) includes the steps of:

(b1) choosing an alternate product having at least one product item associated therewith,

(b2) determining an expiration date for a predetermined one of said at least one product item associated with said alternate product, and,

(b3) determining that said product selection qualifies for an alternate product offer if said determined expiration date of the predetermined product item is a later date than said expiration date of the predetermined alternate product item.

7.   (Original) A method according to Claim 6, wherein said predetermined one of said at least one product item associated with said alternate product is a next vendible product item.

8.   (Original) A method according to Claim 1, wherein step (b) includes the steps of:

(b1) choosing an alternate product having at least one product item associated therewith, each of said at least one product item having an expiration date associated therewith,

(b2) determining an item expiration date for a predetermined one of said at least one product item associated with said alternate product, and,

(b3) using said item expiration date to determine whether said product selection qualifies for an alternate product offer.

9.   (Original) A method according to Claim 1, wherein there is at least one product item associated with said product selection, and wherein step (b) includes the steps of:

(b1) determining an item expiration date for a predetermined one of said at least one product item associated with said product selection, and,

(b2) using said item expiration date to determine whether said product selection qualifies for an alternate product offer.

10.   (Original) A method according to Claim 1, wherein there is a profit margin associated with said product selection, and,
wherein step (b) includes the steps of:

(b1) choosing an alternate product,

(b2) obtaining a profit margin associated with said alternate product, and,

(b3) determining that said product selection qualifies for an alternate product offer if said alternate product profit margin is greater than said profit margin associated with said product selection.

11.   (Original) A method according to Claim 10, wherein there is at least one product item associated with said chosen alternate product, wherein each of said at least one product item associated with said chosen alternate product has an expiration date, and, wherein said profit margin associated with said alternate product is chosen to be a function of said expiration date.

12.   (Original) A method according to Claim 1, wherein step (b) includes the steps of:

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(b1) selecting an alternate product,

(b2) determining an available quantity of vendible product items associated with said product selection, and,

(b3) using said available quantity of vendible product items associated with said product selection to determine whether said product selection qualifies for an alternate product offer.

13.   (Original) A method according to Claim 12, wherein an database is provided, said database containing a count of vendible items associated with at least said product selection and, wherein step (b2) includes the step of:

(i) determining from said database an available quantity of vendible items associated with said product selection.

14.   (Original) A method according to Claim 1, wherein step (b) includes the steps of:

(b1) selecting an alternate product,

(b2) determining an available quantity of vendible product items associated with said alternate product, and,

(b3) using said available quantity of vendible product items associated with said alternate product to determine whether said product selection qualifies for an alternate product offer.

15.   (Original) A method according to Claim 1, wherein step (b) includes the steps of:

(b1) determining a demand rate for said product selection,

(b2) choosing an alternate product,

(b3) determining a demand rate for said alternate product,

(b4) comparing said demand rate for said product selection and said demand rate for said alternate product, and,

(b5) determining based on said step of comparing whether said product selection qualifies for an alternate product offer.

16.   (Original) A method according to Claim 1, wherein step (b) includes the steps of:

(b1) selecting an alternate product,

(b2) determining a demand rate for said product selection,

(b3) comparing said demand rate with a predetermined rate, and,

(b4) determining based on said step of comparing whether said product selection qualifies for an alternate product offer.

17.   (Original) A method according to Claim 1, wherein step (b) includes the steps of:

(b1) selecting an alternate product, said alternate product having at least one product item associated therewith,

(b2) determining a number of days until expiration for a predetermined one of said at least one product item associated with said alternate product,

(b3) comparing said number of days until expiration with a predetermined number of days, and,

(b4) determining based on said step of comparing whether said product selection qualifies for an alternate product offer.

18.   (Original) A method according to Claim 1, wherein said alternate product offer message includes an offer of an incentive for the customer to purchase another item.

19.   (Original) A method according to Claim 18, wherein said offer of an incentive is an offer of a future incentive.

20.   (Original) A method according to Claim 18, wherein said offer of an incentive is accompanied by a presentation of a coupon code representative of said offer of an incentive.

21.   (Original) A method according to Claim 20, wherein said coupon code comprises a character sequence.

22.   (Original) A method according to Claim 21, wherein a representative of an offer expiration date is encoded within said character sequence.

23.　(Original) A method according to Claim 18, wherein said another item is a product item associated with said alternate product offer.

24.　(Original) A method according to Claim 18, wherein said offer of an incentive is an offer of a discount in price.

25.　(Original) A method according to Claim 24, wherein said offer of a discount is an offer of a present discount.

26.　(Original) A method according to Claim 24, wherein said offer of a discount in price includes an offer of a discount for an item corresponding to said alternate product offer.

27.　(Original) A method according to Claim 1, wherein said alternate product offer message includes an offer of a plurality of different alternate products.

28.　(Original) A method according to Claim 1, wherein step (f) includes the steps of:

(f1) determining whether said product selection qualifies for a further alternate product offer,

(f2) presenting a further alternate product offer message if said product selection so qualifies,

(f3) determining if the customer has accepted said further alternate product offer, and,

(f4) dispensing a third product that corresponds to said further alternate product offer if the customer has so accepted, and,

(f5) dispensing a second product that corresponds to said product selection if the customer has not so accepted.

29.　(Original) A method according to Claim 1, wherein step (a) includes the step of:

(a1) receiving an amount of money from the customer.

30.   (Original) A method according to Claim 29, wherein said amount of money is greater than a price of said product selection and wherein said alternate product offer message includes an offer to purchase an alternate product having a higher price than said price of said product selection.

31.   (Original) A method according to Claim 30, wherein said offer to purchase said alternate product includes an offer to purchase said alternate product at a special price approximately equal to said amount of money received from the customer.

32.   (Original) A method according to Claim 31 wherein said special price is a discounted price.

33.   (Original) A method according to Claim 1, wherein step (c) includes the steps of:
        (c1) selecting a plurality of products, each of said plurality of products having a profit margin associated therewith,
        (c2) determining which of said associated profit margins is a largest profit margin,
        (c3) identifying which of said plurality of products is associated with said largest profit margin,
        (c4) selecting for presentation in an alternate product offer message any product so identified, and,
        (c5) presenting said alternate product offer message if said product selection so qualifies.

34.   (Original) A storage device adapted for use with a microprocessor wherein a plurality of computer instructions defining the method of Claim 1 are encoded, said storage device being readable by said microprocessor, and said computer instructions directing said microprocessor to perform said method.

35.   (Previously presented) A storage device according to Claim 34, wherein said storage device is selected from the group consisting of computer RAM, computer ROM,

a PROM chip, flash RAM, a ROM card, a RAM card, a floppy disk, a magnetic disk, a magnetic tape, a magneto-optical disk, an optical disk, a CD-ROM disk, and a DVD disk.

36.   (Original) A method of dispensing one of a plurality of types of items to a customer from a vending machine, comprising the steps of:

(a) receiving an original product selection from the customer;

(b) selecting an alternate product offer rule associated with said original product selection;

(c) evaluating said selected alternate product rule, thereby producing an evaluated result;

(d) depending on said evaluated result, either, dispensing a product corresponding to said original product selection, or

presenting an alternate product offer to the customer; and,

(e) if said alternate product offer is presented to the customer,

(e1) sensing a response by the customer to said alternate product offer; and,

(e2) dispensing either a product corresponding to said original product selection or a product corresponding to said alternate product offer according to the customers response.

37.   (Original) A method according to Claim 36, wherein a rules database is provided, said rules database containing at least one decision rule therein, and step (b) includes the steps of:

(b1) identifying any decision rule in said rules database associated with said product selection,

(b2) if no decision rule in said rules database is so identified, choosing a null rule as an associated alternate product offer rule, and,

(b3) if at least one decision rule in said rules database is so identified, then, choosing one of said at least one identified associated alternate product offer rules.

38.   (Original) A storage device adapted for use with a microprocessor wherein a plurality of computer instructions defining the method of Claim 36 are encoded, said storage device being readable by said microprocessor, and said computer instructions directing said microprocessor to perform said method.

39.   (Previously presented) A storage device according to Claim 38, wherein said storage device is selected from the group consisting of computer RAM, computer ROM, a PROM chip, flash RAM, a ROM card, a RAM card, a floppy disk, a magnetic disk, a magnetic tape, a magneto-optical disk, an optical disk, a CD-ROM disk, and a DVD disk.

40.   (Original) A method of vending an item to a customer, comprising the steps of:

        (a) receiving an initial product selection signal from the customer;

        (b) determining a product selection corresponding to said initial product selection signal;

        (c) determining according to a decision rule whether said product selection qualifies for an alternate product offer;

        (d) if said product selection does not qualify for an alternate product offer, generating a signal representative of an instruction to dispense an item of a type corresponding to said product selection; and,

        (e) if said product selection does qualify for an alternate product offer,

                (e1) presenting an alternate product offer to the customer,

                (e2) receiving a signal representative of the customer's response to said alternate product offer; and,

                (e3) generating a signal representative of an instruction to dispense an item of a type corresponding to the customer's response.

41.   (Original) A vending machine apparatus for presenting alternate product choices to a customer, comprising:

        (a) a vending machine capable of distributing a plurality of product types, said vending machine having an input device for receiving at least a product selection from said customer;

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(b) a microprocessor, said microprocessor

controlling the distribution of said plurality product types by said vending machine

according to the method of Claim 40, being in electrical communication with said input

device, and, being responsive to said input device; and,

(c) a message output device responsive to said microprocessor, said message

output device for presenting said alternate product offer message to customer.

42.   (Previously presented) A vending machine apparatus according to Claim 41,

wherein said message output device includes at least one element selected from the group

consisting of an audio speaker, an LED display, an LCD display, a video display device,

a touch sensitive video display device, and a printer.

43.   (Previously presented) A method comprising:

receiving a selection of a first product from a vending machine;

presenting an offer for a second product in lieu of the first product, in which the

second product is more profitable than the first product;

determining if the customer has accepted the offer; and

dispensing the second product if the customer has accepted the offer.

44.   (Previously presented) A method comprising:

receiving a selection of a first product from a vending machine;

determining a profit margin of the first product;

determining a second product that has a profit margin greater than the profit

margin of the first product;

displaying an offer to for the second product instead of the first product;

receiving an acceptance of the offer; and

dispensing the second product.

45.   (New) A method, comprising:

receiving, by a vending machine, an indication of a customer selection of a

beverage product offered for sale by the vending machine;

receiving, by the vending machine, an indication of an amount of funds provided by the customer;

determining, after the receiving of the indication of the customer selection of the beverage product, and by a processing device of the vending machine, an alternate beverage product associated with the selected beverage product;

providing, to the customer and by the vending machine, an offer for the alternate beverage product instead of the selected beverage product in exchange for the funds provided by the customer;

determining, by the processing device of the vending machine, an acceptance, by the customer, of the offer for the alternate beverage product; and

dispensing, by the vending machine, and after the determination of the acceptance of the alternate beverage product offer by the customer, the alternate beverage product to the customer.

46.   (New) A method, comprising:

receiving, by a vending machine, an indication of a customer selection of a snack product offered for sale by the vending machine;

receiving, by the vending machine, an indication of an amount of funds provided by the customer;

determining, after the receiving of the indication of the customer selection of the snack product, and by a processing device of the vending machine, an alternate snack product associated with the selected snack product;

providing, to the customer and by the vending machine, an offer for the alternate snack product instead of the selected snack product in exchange for the funds provided by the customer;

determining, by the processing device of the vending machine, an acceptance, by the customer, of the offer for the alternate snack product; and

dispensing, by the vending machine, and after the determination of the acceptance of the alternate snack product offer by the customer, the alternate snack product to the customer.

47. (New) A method, comprising:

receiving, by a vending machine, an indication of a customer selection of a product offered for sale by the vending machine, the product being offered for sale for a first amount;

receiving, by the vending machine, an indication of an amount of funds provided by the customer;

determining, by a processing device of the vending machine, that the amount of funds provided by the customer is greater than the first amount;

determining, after the receiving of the indication of the customer selection of the product, and by the processing device of the vending machine, an alternate product associated with the selected product, wherein the alternate product is selected based on the alternate product being offered for sale for a second amount, the second amount being substantially equivalent to the amount of funds provided by the customer;

providing, to the customer and by the vending machine, an offer for the alternate product instead of the selected product in exchange for the funds provided by the customer;

determining, by the processing device of the vending machine, an acceptance, by the customer, of the offer for the alternate product; and

dispensing, by the vending machine, and after the determination of the acceptance of the alternate product offer by the customer, the alternate product to the customer.

48. (New) A method, comprising:

receiving, by a vending machine, an indication of a customer selection of a product offered for sale by the vending machine;

receiving, by the vending machine, an indication of an amount of funds provided by the customer;

determining, after the receiving of the indication of the customer selection of the product, and by a processor of the vending machine, an alternate product associated with the selected product;

determining, by the processing device of the vending machine, an available inventory of the alternate product;

providing, to the customer and by the vending machine, in the case that it is determined that the available inventory of the alternate product is greater than a pre-defined threshold, an offer for the alternate product instead of the selected product in exchange for the funds provided by the customer;

determining, by the processing device of the vending machine, an acceptance, by the customer, of the offer for the alternate product; and

dispensing, by the vending machine, and after the determination of the acceptance of the alternate product offer by the customer, the alternate product to the customer.

49.   (New) A method, comprising:

receiving, by a vending machine, an indication of a customer selection of a product offered for sale by the vending machine;

receiving, by the vending machine, an indication of an amount of funds provided by the customer;

determining, after the receiving of the indication of the customer selection of the product, and by a processor of the vending machine, an alternate product offer rule associated with the selected product;

determining, by the processing device of the vending machine, that the alternate product offer rule is satisfied;

providing, to the customer and by the vending machine, an offer for an alternate product associated with the alternate product offer rule, instead of the selected product in exchange for the funds provided by the customer;

determining, by the processing device of the vending machine, an acceptance, by the customer, of the offer for the alternate product; and

dispensing, by the vending machine, and after the determination of the acceptance of the alternate product offer by the customer, the alternate product to the customer.

50.   (New) The method of claim 49, wherein the alternate product offer rule comprises a rule that the selected product be associated with a demand that is greater than a pre-defined threshold for demand.

51.   (New) The method of claim 49, wherein the alternate product offer rule comprises
a rule that the selected product be associated with an available inventory level that is
lower than a pre-defined minimum available inventory level.

52.   (New) The method of claim 49, wherein the alternate product offer rule comprises
a rule that the selected product be associated with shelf life that is lower than a pre-
defined minimum shelf life.

53.   (New) A method, comprising:

        receiving, by a vending machine, an indication of a customer selection of a
product offered for sale by the vending machine;

        receiving, by the vending machine, an indication of an amount of funds provided
by the customer;

        determining, after the receiving of the indication of the customer selection of the
product, and by a processor of the vending machine, an alternate product offer rule
associated with the selected product;

        determining, by the processing device of the vending machine, that the alternate
product offer rule is not satisfied; and

        dispensing, by the vending machine, and after the determination that the alternate
product offer rule is not satisfied, the selected product to the customer.

54.   (New) A method, comprising:

        receiving, by a touch screen of a vending machine, an indication from a customer
of an acceptance of an alternate product offer provided by the vending machine; and

        dispensing, by the vending machine and to the customer, an alternate product
associated with the alternate product offer.

55.   (New) A method, comprising:

        receiving, by a touch screen of a vending machine, an indication from a cellular
telephone of a customer, of an acceptance of an alternate product offer provided by the
vending machine; and

dispensing, by the vending machine and to the customer, an alternate product associated with the alternate product offer.

56.   (New) A method, comprising:

receiving, by a vending machine, an indication of a customer selection of a product offered for sale by the vending machine;

receiving, by the vending machine, an indication of an amount of funds provided by the customer;

determining, after the receiving of the indication of the customer selection of the product, and by a processor of the vending machine, an alternate product that is associated with the lowest demand of all products offered for sale by the vending machine;

providing, to the customer and by the vending machine, an offer for the alternate product;

determining, by the processing device of the vending machine, an acceptance, by the customer, of the offer for the alternate product; and

dispensing, by the vending machine, and after the determination of the acceptance of the alternate product offer by the customer, the alternate product to the customer.

57.   (New) A method, comprising:

receiving, by a vending machine, an indication of a customer selection of a product offered for sale by the vending machine;

receiving, by the vending machine, an indication of an amount of funds provided by the customer;

determining, after the receiving of the indication of the customer selection of the product, and by a processor of the vending machine, an alternate product that is associated with the lowest remaining shelf life of all products offered for sale by the vending machine;

providing, to the customer and by the vending machine, an offer for the alternate product;

determining, by the processing device of the vending machine, an acceptance, by the customer, of the offer for the alternate product; and

dispensing, by the vending machine, and after the determination of the acceptance of the alternate product offer by the customer, the alternate product to the customer.

58.   (New) A method, comprising:

receiving, by a vending machine, an indication of a customer selection of a product offered for sale by the vending machine, the product being associated with a first brand;

receiving, by the vending machine, an indication of an amount of funds provided by the customer;

determining, after the receiving of the indication of the customer selection of the product, and by a processor of the vending machine, an alternate product that is associated with a second brand that is different than the first brand;

providing, to the customer and by the vending machine, an offer for the alternate product;

determining, by the processing device of the vending machine, an acceptance, by the customer, of the offer for the alternate product; and

dispensing, by the vending machine, and after the determination of the acceptance of the alternate product offer by the customer, the alternate product to the customer.

59.   (New) A computerized method of dispensing a substitute product from a vending machine that includes a processor, comprising:

detecting, by a motion detector of a vending machine, the presence of a purchaser;

receiving, by the vending machine, an amount of money from the purchaser;

measuring, by a processor of the vending machine, a time between the detection and the receipt of the amount of money from the purchaser;

receiving, by the processor of the vending machine, an indication of a selection, by the purchaser, of a first product;

determining, by the processor of the vending machine, a substitute product identifier corresponding to a substitute product associated with the first product;

offering the substitute product to the purchaser; and

dispensing the substitute product.

60.   (New) A method, comprising:

maintaining a database of at least one upsell package price, said upsell package price corresponding to an upsell package;

generating a credit amount, the credit amount representing an amount of currency provided by a customer;

receiving a product identifier corresponding to a selected product;

identifying at least one upsell package in the database which corresponds to the credit amount and the received product identifier; and

dispensing one or more component products associated with the upsell package.